

Staff Summary Report



Council Meeting Date: 07/22/08

Agenda Item Number: _____

SUBJECT: Request approval of a Construction Job Order No. 3 with Cactus Asphalt and a project contingency for roadway milling and rubberized asphalt overlay on Broadway Road between Priest Drive and Rural Road.

DOCUMENT NAME: 20080722PWDR07 STREET UPGRADING-MAINT-CONSTRUCTION (0809-05) PROJECT NO. 5409081

SUPPORTING DOCS: Yes.

COMMENTS: Total cost for the Construction Job Order is the amount of \$871,852.80. The project contingency shall not exceed \$104,622.

PREPARED BY: Donna Rygiel, Engineering Contract Administrator (x8520)

REVIEWED BY: Andy Goh, Deputy PW Manager/City Engineer (x8896)

APPROVED BY: Glenn Kephart, Public Works Manager (x8205)

LEGAL REVIEW BY: Judi Morgan, Assistant City Attorney (x8227)

FISCAL NOTE: Sufficient funds are available in Capital Improvement Fund No. 54.

RECOMMENDATION: Approve construction job order and project contingency.

ADDITIONAL INFO: The location for the work is Broadway Road between Priest Drive and Rural Road. The scope of work includes milling the roadway and overlaying it with rubberized asphalt.

The proposal from Cactus Asphalt has been reviewed by staff and found to be in order. Cactus Asphalt is one of three contractors previously selected through a qualifications based process consistent with Title 34 Arizona Revised Statutes for job order paving and resurfacing of streets and city facilities.

CITY OF TEMPE, ARIZONA
PUBLIC WORKS DEPARTMENT
DIVISION OF ENGINEERING

JOB ORDER NO. 3 TO CACTUS ASPHALT
THROUGH EXISTING CONTRACT NO. C2007-238

FOR BROADWAY ROAD ROADWAY MILLING AND RUBBERIZED ASPHALT
OVERLAY (PRIEST DRIVE TO RURAL ROAD)

PROJECT NO. 5409081

This JOB ORDER No. 3 is entered into on this 22nd day of July, 2008, with Cactus Asphalt (**"JOC CONTRACTOR"**) through the existing Contract made and entered into by and between the parties on December 6, 2007, (Contract No. C2007-238).

ARTICLE I – JOB ORDER PRICE AND WORK LOCATION: The JOC Contractor shall furnish any and all plant, materials, labor, construction equipment, services and transportation (all applicable taxes included) required for performing all work for the construction of the Broadway Road Roadway Milling and Rubberized Asphalt Overlay (Priest Drive to Rural Road), (Project No. 5409081) (**"Project"**) for the sum of Eight Hundred Seventy One Thousand Eight Hundred Fifty Two Dollars and Eighty Cents (\$871,852.80), as detailed in the Proposal (Exhibit **"A"**), attached hereto and incorporated herein by this reference. JOC Contractor shall construct the same and install the materials thereto for the Project, in a good and workmanlike, and substantial manner and to the satisfaction of the City or its properly authorized agents, and strictly pursuant to and in conformity with the Specifications and Plans for the Project and other documents that may be requested by the City, through the Engineer or other properly authorized agents, as provided herein. The full street or physical address of the construction work location (**"Work Location"**) is Broadway Road from Priest Drive to Rural Road. The JOC Contractor shall list the Work Location in any subcontract related to this job order at any level and each subcontractor shall likewise include the Work Location in any of its subcontracts.

ARTICLE II – REQUIRED SUBMITTALS: The JOC Contractor shall submit the completed forms referenced in the Forms Appendix (Exhibit “B”) to the City for approval, prior to receipt of a Notice to Proceed issued by the City for the Project.

ARTICLE III – AMENDMENT: The City of Tempe Contract No. C2007-238, and related exhibits including the performance bond, payment bond and certificate(s) of insurance are by this reference made a part of this Job Order to the same extent as if set forth herein in full. All other provisions of the original Contract where not inconsistent with this Job Order shall remain binding on the parties.

ARTICLE IV – START OF WORK AND PERIOD OF SERVICE: Work shall start as soon as practicable, and in no case later than seven (7) calendar days after the Notice to Proceed is issued by the City, and shall be completed within sixty (60) calendar days thereafter.

[SIGNATURE PAGE TO FOLLOW]

Broadway Road Roadway Milling and Asphalt Overlay (Priest Drive to Rural Road)
Project No. 5409081

The JOC Contractor warrants that the person who is signing this Job Order on behalf of the JOC Contractor is authorized to do so and to execute all other documents necessary to carry out the terms of this Job Order.

DATED this _____ day of _____, 2008.

CITY OF TEMPE, ARIZONA

By: _____
Mayor

By: _____
Public Works Manager

ATTEST:

Recommended by:

City Clerk

A _____
Deputy PW Manager/City Engineer

APPROVED AS TO FORM:

City Attorney

DATED: this 18 day of June, 2008.

CACTUS ASPHALT

By: _____
Name

Its: President
Title

86-0363424
Federal I.D. No. /Social Security No.

Certified to be a true and exact copy.

Karen M. Fillmore
Records Specialist